

BOARD OF PUBLIC WORKS & SAFETY
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Mayor Charles Henderson called the meeting to order at 6:00 p.m.

PRESENT: Board members Warren Beville, Mayor Henderson, Kevin Hoover;
Clerk-Treasurer Jeannine Myers; City Attorney Shawna Koons-Davis;
and Director of Engineering Paul Peoni.

Mr. Beville moved that the minutes of May 4th be approved as presented, with a second by Mr. Hoover. Vote: Ayes.

Paul Collier of 1198 Derby Court came forward to request a 4' encroachment of a drainage and utility easement at his property for a deck across the back of his home. Mr. Collier was missing a letter from the phone company. After discussion, Mr. Hoover moved to allow the encroachment after review of the paperwork by the Law and Engineering departments with the understanding that the deck is there at the owner's risk and is subject to removal if anyone needs access to the easement. Second by Mr. Beville. Vote: Ayes.

Darla Rae, new Valle Vista Homeowners' Association President, came forward to discuss the dedication of LaPlacita Street. Mr. Hoover recounted the same request 17 or 18 years ago when he was the attorney for the Homeowners' Association. The Engineering Department will need to determine if the street meets City standards, as it must before the City accepts it. Ms. Rae is to contact Kevin Riddle of that department.

Paul Maurer of Maurer Surveying, on behalf of Calvert Development, LLC, asked for approval of construction plans and acceptance of offsite sanitary easements for Calvert Farms, Section 1. The construction plans are in order and the easements have been reviewed and approved by both the outside consultant and the Law Department. Mr. Hoover moved to:

- 1) Approve the construction plans for Calvert Farms, Section 1.
- 2) Accept one (1) offsite plat over sanitary sewer easement from Brookhaven Development, LLC.
- 3) Accept four (4) offsite plat over sanitary sewer easements from Calvert Development, LLC.

Second by Mr. Beville. Vote: Ayes.

For the Chateaux at Woodfield, Section 3 (3A & 3B), Fred Leimberger of Precedent Development requested acceptance of the erosion control performance bond. The amount and improvement shown on the performance bond is correct and the City Attorney has approved the form of the bond. Mr. Beville moved to:

- 1) Accept performance bond #5020002 from Bond Safeguard Insurance Company in the amount of \$150,986 for the installation of the erosion control at The Chateaux at Woodfield, Section 3 (3A & 3B).

Second by Mr. Hoover. Vote: Ayes.

Mr. Leimberger next asked for acceptance of improvements, acceptance of maintenance and performance bonds and execution of the plat for Homecoming at University Park, Section 8. A final field inspection shows that all items being asked for acceptance appear to have been satisfactorily installed; however the swale grades have not been verified due to inclement weather. The Engineering Department has received acceptable paper as-builts. The amounts and improvements shown on the bonds are correct. The City Attorney has approved the form of the bonds. The Sanitation Superintendent has also issued the construction approval letter for the sanitary sewers. Mr. Hoover moved to:

- 1) Accept the sanitary sewers at the Homecoming at University Park, Section 8.

- 2) Accept three (3) year maintenance bond #5020006 from Bond Safeguard Insurance Company in the amount of \$15,682 for the sanitary sewers at the Homecoming at University Park, Section 8.
- 3) Accept the stone base, asphalt base, asphalt binder and concrete curbs (streets) at the Homecoming at University Park, Section 8.
- 4) Accept three (3) year maintenance bond #104722405 from St. Paul Fire and Marine Insurance Company in the amount of \$46,698 for the stone base, asphalt base and asphalt binder (streets) at the Homecoming at University Park, Section 8.
- 5) Accept three (3) year maintenance bond #5020008 from Bond Safeguard Insurance Company in the amount of \$15,411 for the concrete curbs at the Homecoming at University Park, Section 8.
- 6) Accept the dirtwork and storm sewers at the Homecoming at University Park, Section 8.
- 7) Accept three (3) year maintenance bond #5020007 from Bond Safeguard Insurance Company in the amount of \$73,302 for the dirtwork and storm sewers at the Homecoming at University Park, Section 8.
- 8) Accept performance bond #5020003 from Bond Safeguard Insurance Company in the amount of \$31,133 for the installation of the asphalt surface and tack coat at the Homecoming at University Park, Section 8.
- 9) Accept performance bond #5020004 from Bond Safeguard Insurance Company in the amount of \$84,761 for the installation of the sidewalks at the Homecoming at University Park, Section 8.
- 10) Accept performance bond #5020005 from Bond Safeguard Insurance Company in the amount of \$2,899 for the installation of the signs and monuments at the Homecoming at University Park, Section 8.
- 11) Execute the plat, all contingent upon:
 - a. Verification of the as-built swale grades by the Engineering Department.
 - b. Receipt of mylar as-builts (2 sets).
 - c. Payment of any final Inspection & Testing fees, if applicable.
 - d. Final review and approval of the plat by the Engineering and Planning departments.

Second by Mr. Beville. Vote: Ayes.

For Harvest Point Church, Joe Meyer of KOE Engineering & Surveying came forward to ask for acceptance of the sanitary sewer and acceptance of the maintenance guarantee. The Engineering Department has received acceptable paper as-builts and the Sanitation Superintendent has issued the construction approval letter for the sanitary sewers. Mr. Beville moved to:

- 1) Accept the sanitary sewers at the Harvest Point of Greenwood.
- 2) Accept an Official Check in the amount of \$618 to act as three (3) year maintenance guarantee for the sanitary sewers at the Harvest Point of Greenwood, all contingent upon:
 - a. Receipt of the original Official Check as stated above.
 - b. Receipt of mylar as-builts (2 sets).
 - c. Receipt of final sanitary sewer Inspection & Testing fees (\$35).

Second by the Mayor. Vote: Ayes. (Mr. Hoover recused himself).

Greg Ilko of Crossroad Engineers was next, on behalf of Park 1401 – Phase I, to ask for acceptance of performance guarantees, acceptance of Inspection & Testing Agreements and a waiver to allow dry detention. Mr. Peoni confirmed that the Inspection & Testing Agreements are in order. For the first part of the request, Mr. Hoover moved to:

- 1) Accept a performance Letter-of-Credit (LOC) in the amount of \$165,368 for the installation of the dirtwork and storm sewer at the Park 1401 – Phase I project.
- 2) Accept a performance LOC in the amount of \$58,503 for the installation of the erosion control at the Park 1401 – Phase 1 project.
- 3) Accept a performance LOC in the amount of \$78,568 for the installation of the sanitary sewers at the Park 1401 – Phase 1 project.
- 4) Accept a performance LOC in the amount of \$1,573 for the installation of the sidewalks along Easy Street at the Park 1401 – Phase 1 project.
- 5) Accept the Inspection & Testing Agreement for the sanitary sewers and ratify the acceptance of the 50% upfront fee for the Park 1401 – Phase I project.
- 6) Accept the Inspection & Testing Agreement for all items except sanitary sewers and ratify the acceptance of the 50% fee for the Park 1401 – Phase I project, all contingent upon:
 - a. Receipt and review and approval of the performance guarantees by the Engineering and Law department.

Second by Mr. Beville. Vote: Ayes.

As far as the dry detention waiver for the Park 1401 – Phase I project is concerned, it shall be a temporary situation. The Engineering Department has done some preliminary review of the revised plans and calculations showing the dry detention. As long as all conditions for dry detention are incorporated into this temporary design, the Engineering Department would recommend approval to allow this temporary dry detention subject to final review and approval of the plans and calculations by the Engineering Department. Mr. Hoover moved to:

- 1) Accept the “Grant of Limited Drainage Easement” that is for the access to and around the proposed temporary dry detention area. subject to:
 - a. Receipt and approval of the legal description and graphic exhibit for the “Grant of Limited Drainage Easement” by the Engineering Department.
 - b. Preparation of the body of the document for the “Grant of Limited Drainage Easement” by the Law Department and authorizing the Mayor to sign.

Second by Mr. Beville. Vote: Ayes.

Code Enforcement Officer John Myers was next and first reported that the nuisance complaints at 745 Downing Drive and 765 U.S. 31 South have been abated. Mr. Myers went on to describe a complaint of high grass and weeds at a vacant property located at 1287 Ridgetop Drive. Mr. Hoover moved to find that a nuisance exists at 1287 Ridgetop Drive and direct the City Attorney to issue a 5-Day Letter of Abatement and, failing that, to take whatever steps she deems necessary to abate the nuisance and charge the costs against the property owner.

The residence at 601 E. Fairview is also vacant with a complaint of high grass and weeds. Mr. Beville moved to find that a nuisance exists at 601 E. Fairview, to direct the City Attorney to issue a 5-Day Letter of Abatement and, failing that, to take whatever steps she deems necessary to abate the nuisance and charge the costs against the property owner.

The vacant house at 370 Yorktown had siding blown off from a recent wind storm and high grass and weeds. The siding has been removed but the high grass remains. Mr. Hoover moved to find that a nuisance exists at 370 Yorktown, to direct the City Attorney to issue a 5-Day Letter of Abatement and, failing that, to take whatever steps she deems necessary to abate the nuisance and charge the costs against the property owner.

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On her Status of Tasks, Ms. Koons-Davis submitted a Disclosure Statement from Melinda Block of the Sanitation Billing Office whose son works part-time for the Parks Department for any interest she might have in his earnings. Mr. Beville moved to accept the Disclosure Statement as presented. Second by Mr. Hoover. Vote: Ayes.

Ms. Koons-Davis then noted that Albert Hessman had signed an interlocal agreement for use of IPD's mug shot system and that we need a valid contract. Mr. Hoover moved to direct the City Attorney to draft the necessary agreement for use of this system and to authorize the Mayor to sign. Second by Mr. Beville. Vote: Ayes.

On his Status of Tasks, Mr. Peoni discussed a Letter of Credit (LOC) from Fifth Third Bank for Carter Plumbing. They have never asked the City to inspect the project. At Mr. Peoni's request, Mr. Hoover moved to authorize the Director of Engineering to draw down on the LOC. Second by Mr. Beville. Vote: Ayes.

Mr. Hoover next moved to approve going to bid for the 2006 Bituminous Overlay Bid as discussed by the Council. This \$1.2 million will come from the Cumulative Capital Development Fund. Second by Mr. Beville. Vote: Ayes.

Mr. Beville moved to approve the claims as presented through May 18th. Second by Mr. Hoover. Vote: Ayes.

Mayor Henderson reported that the Valle Vista Reconstruction is going well. A list of streets to be resurfaced or repaired is in the paper.

With no further business, the meeting adjourned at 6:45 p.m.

Charles E. Henderson, Mayor

Jeannine Myers, Clerk-Treasurer